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Docket No.: **524022000100**  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Dexu ZHU, et al

Application No.: 09/975,136

Group Art Unit: 1621

Filed: October 10, 2001

Examiner: P. Zucker

For: METHODS AND COMPOSITIONS FOR  
TREATING OR PREVENTING BACTERIAL  
INFECTION

**COMMUNICATION TO THE EXAMINER**

Commissioner for Patents  
P O Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Interview Summary of October 29, 2003 in connection with the above-identified patent application. Applicants are required to file a statement of substance of the interview. Since a response to the last Office Action was filed prior to the mailing of Interview Summary, Applicants are herein providing the required statement.

During the telephonic interview on October 29, 2003, with Examiner Paul A. Zucker, the undersigned (Attorney Peng Chen) called to indicate that the amendment of the claims to be drawn to the treatment of H. pylori infection was acceptable to applicants and that he would prepare and

fax an amendment to the Examiner incorporating this change. The Supplemental Amendment was faxed to Examiner Zucker on October 29, 2003.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 524022000100. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: December 2, 2003

Respectfully submitted,

By 

Peng Chen

Registration No.: 43,543

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Attorneys for Applicant



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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/975,136	
	Filing Date	October 10, 2001	
	First Named Inventor	Dexu ZHU	
	Group Art Unit	1621	
	Examiner Name	P. Zucker	
Total Number of Pages in This Submission	3	Attorney Docket Number	524022000100

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Communication to Examiner, 2 pgs Return Receipt Postcard.
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<b>CUSTOMER NO. 25225</b>	
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual Name	MORRISON & FOERSTER LLP Peng Chen - 43,543	
Signature		
Date	December 2, 2003	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450, on the date shown below. Dated: 12.2.03 Signature:  (Rhea Amid)		

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